

Hawai'i State Association of Counties (HSAC)
Counties of Kaua'i, Maui, Hawai'i & City & County of Honolulu

AGENDA

HSAC EXECUTIVE COMMITTEE MEETING

Monday, November 23, 2015 at 10:00 a.m. or Soon Thereafter

Honolulu Hale, Committee Meeting Room

530 South King Street

Honolulu, Hawai'i 96813

RECEIVED
CITY CLERK
C & C OF HONOLULU
2015 NOV 17 PM 2:36

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. MINUTES

A. Minutes of the September 11, 2015 HSAC Executive Committee Meeting, as submitted by the HSAC Secretary.

B. Minutes of the September 30, 2015 Special HSAC Executive Committee Meeting, as submitted by the HSAC Secretary.

IV. REPORTS

A. Treasurer's Report

1. Treasurer's Report for the month of September 2015, as submitted by the HSAC Treasurer.
2. Treasurer's Report for the month of October 2015, as submitted by the HSAC Treasurer.

B. County Reports

1. County of Maui Report
2. County of Hawai'i Report
3. City and County of Honolulu Report
4. County of Kaua'i Report

C. National Association of Counties (NACo) Report

D. Western Interstate Region (WIR) Report

V. NEW BUSINESS

A. Communication (September 2, 2015) from City Clerk Glen Takahashi, City and County of Honolulu, transmitting for the Executive Committee's information Resolution No. 15-217, CD 1, Relating To The Inclusion In The 2016 Hawai'i State Association of Counties Legislative Package Of A Proposal That Would Require Mopeds To Be Subject To The State's Safety Check Program, which was adopted by the Council of the City and County of Honolulu on September 2, 2015.

- B. Communication (September 8, 2015) from County Clerk Danny A. Mateo, County of Maui, transmitting for the Executive Committee's information Resolution No. 15-109, Urging Congress To Pass The Industrial Hemp Farming Act Of 2015, which was adopted by the Maui County Council at its meeting on September 4, 2015.
- C. Communication (September 8, 2015) from County Clerk Danny A. Mateo, County of Maui, transmitting for the Executive Committee's information Resolution No. 15-114, Approving For Inclusion In The 2015 Hawai'i State Association Of Counties Legislative Package A State Bill Providing The Counties Greater Flexibility In Financial Investments, which was adopted by the Maui County Council at its meeting on September 4, 2015.
- D. Communication (September 11, 2015) from County Clerk Stewart Maeda, County of Hawai'i, transmitting for the Executive Committee's information, Resolution 267-15, A Resolution Requesting The Hawai'i State Association Of Counties To Include In Its 2016 Legislative Package A Resolution Urging Hawai'i's Congressional Delegation To Propose And Pass An Amendment Clarifying That Corporations Are Not People With Constitutional Rights, And That Unlimited Campaign Spending Is Not Free Speech, which was adopted by the County of Hawai'i at its meeting on September 2, 2015.
- E. Communication (September 14, 2015) from HSAC President Mel Rapozo, transmitting for the Executive Committee's information the 2015 Western Interstate Region (WIR) Conference Report.
- F. Communication (September 21, 2015) from County Clerk Danny A. Mateo, County of Maui, transmitting for the Executive Committee's information Resolution No. 15-120, Approving For Inclusion In The 2015 Hawai'i State Association Of Counties Legislative Package A Bill To Enable Councilmembers To Freely Attend Community And Educational Meetings, which was adopted by the Maui County Council at its meeting on September 18, 2015.
- G. Communication (October 19, 2015) from County Clerk Danny A. Mateo, County of Maui, transmitting for the Executive Committee's information Resolution No. 15-132, Approving The Hawai'i State Association Of Counties Officers For Fiscal Year 2016, which was adopted by the Maui County Council at its meeting on October 6, 2015.
- H. Communication (October 19, 2015) from County Clerk Danny A. Mateo, County of Maui, transmitting for the Executive Committee's information Resolution No. 15-134, Approving For Inclusion In The 2016 Hawai'i State Association Counties Legislative Package A State Bill To Allow Persons With Disabilities To Indicate On Their Identification Cards Their Disability, which was adopted by the Maui County Council at its meeting on October 6, 2015.
- I. Communication (October 22, 2015) from County Clerk Jade K. Fountain-Tanigawa, County of Kaua'i, transmitting for the Executive Committee's information Resolution No. 2015-60, Resolution Approving The Hawai'i State Association Of Counties (HSAC) Slate Of Officers For Fiscal Year 2016, which was adopted by the Kaua'i County Council on October 21, 2015.

- J. Communication (October 22, 2015) from Maui County Council Chair and WIR Board Member Mike White and Hawai'i County Councilmember and WIR Board Member Daniel K. Paleka, transmitting for the Executive Committee's information a report on the 2015 Western Interstate Region (WIR) Board of Directors Meeting.
- K. Communication (October 29, 2015) from HSAC Vice President Dennis "Fresh" Onishi, requesting seed money in the amount of \$5,000 for the Hawai'i County Council to begin planning of the HSAC Conference scheduled for June 2016.
- L. Communication (November 4, 2015) from Council Chair Mel Rapozo, Kaua'i County Council, transmitting for the Executive Committee's consideration, A Bill For An Act Relating To Tort Liability to be included in the 2016 HSAC Legislative Package, which was adopted by the Kaua'i County Council on November 4, 2015.
- M. Discussion about lobbying efforts for the 2016 State Legislature relating to transient accommodations tax.

VI. ANNOUNCEMENTS

- A. Schedule the next meeting.
- B. Other announcements.

VII. ADJOURNMENT



Hawaii State Association of Counties

Counties of Kauai, Maui, Hawaii and City and County of Honolulu

15 NOV 17 P1



MINUTES
HSAC EXECUTIVE COMMITTEE MEETING
September 11, 2015
Kalana O Maui Building, Council Chamber
Wailuku, Hawaii

I. CALL TO ORDER

The HSAC Executive Committee ("Committee") was called to order by President Mel Rapozo at 11:12 a.m. The following members comprising a quorum were present:

| | |
|------------------------------|---|
| County of Kauai: | President Mel Rapozo |
| County of Hawaii: | Vice President Dennis "Fresh" Onishi |
| City and County of Honolulu: | Secretary Ikaika Anderson |
| County of Maui: | Treasurer Michael Victorino |
| Others Present: | Councilmember Gladys Baisa, Maui County Councilmember Don Couch, Maui County Councilmember Stacy Crivello, Maui County Council Chair Dru Kanuha, Hawaii County Kauai staff Aida Okazaki Maui staff Greg Garneau Maui staff Jon Henricks Maui staff Carla Nakata Maui staff Kit Zuleta Hawaii staff Scott Jensen Hawaii staff Trixy Miller Honolulu staff Denisse Gee Honolulu staff Brandon Mitsuda |

II. APPROVAL OF AGENDA

The Committee approved the agenda.



III. MINUTES A.

III. MINUTES

The Committee approved the minutes of the August 27, 2015, Executive Committee meeting.

IV. REPORTS

A. Treasurer's Report for August 2015, as submitted by the HSAC Treasurer.

Treasurer Victorino noted that HSAC started the month of August with a balance of \$147,512.38, expended \$6,873.73, and ended the month of August with a balance of \$140,641.15.

The Committee accepted the Treasurer's Report.

B. County Reports

1. Maui County Report. Treasurer Victorino reported on several legislative issues approved by Maui County Council, including: 1) A Resolution which urges Congress to pass the Industrial Hemp Farming Act of 2015; 2) Granting the Community Plan Advisory Committee an extension to October 30, 2015, to complete its review of the draft Molokai Community Plan Update; 3) A Resolution to include in the 2016 HSAC State Legislative Package a measure that would bring the statutory requirements imposed on a county's short-term investment portfolio to parity with the requirements imposed on the State's short-term investment portfolio.
2. Hawaii County Report. Vice President Onishi reported on several legislative matters that Hawaii County Council has been deliberating upon, including: 1) A Bill that would ban the use of certain pesticides from roads, bikeways, sidewalks, trails, waterways and parks owned or maintained by the County was withdrawn by its sponsor due to lack of support; 2) A Resolution urging Hawaii's Congressional Delegation to sponsor a Constitutional amendment to clarify that corporations are not considered individuals for the purposes of campaign contributions. In response to a query, President Rapozo answered that the 2010 U.S. Supreme Court ruling (Citizens United v. Federal Election Commission) prompted Kauai County Council to adopt a similar legislative measure; 3) A Resolution reprimanding Hawaii County Billy Kenoi for inappropriate use of his County purchasing card (commonly

known as "P-Card"). Vice President Onishi noted that he opposes this Resolution.

3. City and County of Honolulu Report. Secretary Anderson reported that the Honolulu City Council adopted Bill 20 (2015), which is expected to be signed into ordinance by the Mayor. He explained that Bill 20 (2015) amends the Land Use Ordinance, Chapter 21, Revised Ordinances of Honolulu, to establish accessory dwelling units ("ADU") as a permitted use in all residential zoning districts, encourage and accommodate the construction of ADU, increase the number of affordable rental units to alleviate the housing shortage in Honolulu, and establish land use standards for those ADU. Vice President Onishi queried whether Bill 20 (2015) would prompt a rise in the number of illegal transient vacation units ("TVU"). The Committee briefly discussed each county's enforcement practices in regards to illegal TVU.

Secretary Anderson further reported on Bill 44 (2015) which was signed into ordinance by the Mayor. He explained that Bill 44 (2015) prohibits persons from sitting or lying on public malls in the Downtown Honolulu and Chinatown areas, subject to certain exceptions.

4. Kauai County Report. President Rapozo reported on several legislative matters considered by Kauai County Council, including: 1) A Resolution requesting the State Legislature to increase the minimum wage, establish paid sick leave and broaden the applicability of existing family and medical leave entitlements prescribed in Chapter 398, Hawaii Revised Statutes, was defeated; and 2) The formation of a subcommittee to study the cost and potential benefits of switching to a County Manager system of government. He noted that any change to the existing governmental system must be approved by the electorate.

He concluded by remarking that this month marks the 23rd anniversary of Hurricane Iniki striking Kauai County.

The Committee received the county reports.

C. NACo Report

Vice President Onishi reported that the NACo Board of Directors Meeting will be held December 2 - 5, 2015, in Colorado Springs, El Paso County, Colorado.

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III. MINUTES A.

Treasurer Victorino reported: 1) On NACo advocacy actions on Capitol Hill regarding federal Payment in Lieu of Taxes (commonly known as "PILT"); and 2) That over 100 counties nationwide have adopted resolutions to implement NACo's "Stepping Up" mental health initiative.

The Committee received the NACo report.

D. WIR Report

Treasurer Victorino reported that the 2016 WIR annual conference will be held May 25 - 27, in Jackson Hole, Teton County, Wyoming. He reminded Kauai County to submit its final report on the 2015 WIR annual conference which was held in Kauai County.

The Committee received the WIR report.

V. UNFINISHED BUSINESS

There was no unfinished business.

VI. NEW BUSINESS

Communication (September 3, 2015) from Council Chair Mel Rapozo, Kauai County Council, transmitting for the Executive Committee's consideration, A Bill for an Act Relating to Zoning to be included in the 2016 HSAC Legislative Package, which was approved by the Kauai County Council on September 2, 2015.

He explained that this measure distinguishes single-family residential use from single-family vacation rental use and allows amortization for single-family transient vacation rentals over a reasonable time period. He reminded the Committee that this measure was part of the 2015 HSAC Legislative Package.

The Committee approved this item.

VII. ANNOUNCEMENTS

A. Schedule upcoming meetings.

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III. MINUTES A.

1. Next meeting – set for Friday, October 23, 2015, Honolulu, Hawaii.
2. The Committee also discussed possible dates for a special HSAC Executive Committee meeting to be held in September or October. A final date was not agreed upon.

B. Other announcements.

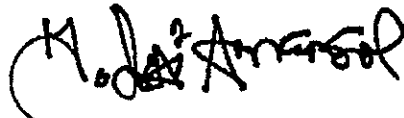
Treasurer Victorino announced several items, as follows:

1. At the next regular Committee meeting, legislation will be proposed to be included in the 2016 HSAC Legislative Package which will be similar to SB 409, SD1 and HB 198. He reminded the Committee that both bills were introduced during the 2015 Legislative Session. He noted that both measures allow for the amortization or phasing out of nonconforming single-family transient vacation rentals.
2. The next meeting of the "State-County Functions Working Group (TAT)" ("Working Group") will be held September 16, 2015, at the State Capitol. He informed the Committee that this Working Group will likely recommend two or three proposals for the 2016 Legislative Session. He concluded by recognizing Maui County Council Chair Mike White's participation in and Hawaii County Councilmember Margaret Willie's attendance at the Working Group.
3. Distribution of new HSAC credit cards for Committee members.

VIII. ADJOURNMENT

The meeting was adjourned at 12:21 p.m.

Respectfully submitted,



IKAIKA ANDERSON, Secretary
Hawaii State Association of Counties

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RECEIVED
Hawaii State Association of Counties
Counties of Kauai, Maui, Hawaii and City and County of Honolulu



MINUTES
SPECIAL HSAC EXECUTIVE COMMITTEE MEETING
September 30, 2015
Honolulu Hale, Committee Meeting Room
530 South King Street
Honolulu, Hawaii 96813

I. CALL TO ORDER

The HSAC Executive Committee was called to order by HSAC President Alternate and County of Kauai Council Vice Chair Ross Kagawa at 10:26 a.m. The following members comprising a quorum were present:

| | |
|------------------------------|---|
| County of Kauai: | HSAC President Alternate Ross Kagawa, County of Kauai Council Vice-Chair |
| County of Hawaii: | Vice President Dennis "Fresh" Onishi, County of Hawaii Councilmember |
| City and County of Honolulu: | Secretary Alternate Ernest Y. Martin, City and County of Honolulu Council Chair |
| County of Maui: | Treasurer Michael Victorino, County of Maui Councilmember |
| Others Present: | Honolulu staff Doug Chun, Legislative Analyst, Office of Council Services; Honolulu staff Brandon Mitsuda, Council Liaison, Honolulu City Council Administrative Support Services; Kauai staff Aida Okasaki, Legislative Assistant, Council Services Division; Maui staff Kit Zulueta, Communication Director, Office of Council Services |

II. APPROVAL OF AGENDA

The Committee approved the agenda.



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III. MINUTES B.

III. NEW BUSINESS

- A. Communication (September 17, 2015) from Councilmember Ikaika Anderson, HSAC Secretary, transmitting for the Executive Committee's approval, a proposal to amend Section 5, Paragraph 2 of the HSAC Bylaws as follows:

- 1) Designating a new slate of officers for the term beginning in 2015; and
- 2) Adding a rotation schedule for the slate of officers.

A motion was made and seconded to approve the proposed Bylaw amendment.

When HSAC President Alternate Kagawa opened the matter for discussion, Vice President Onishi, noting that he wished to speak for the record, stated that he supports the proposed amendment. He continued by noting that this amendment would institutionalize what he has been advocating for, namely, a designated slate of officers to act as a starting point, a certain and orderly rotation, and a limit to the how long each county would serve in any position.

Vice President Onishi stated, moreover, that he had hoped that this issue would have been discussed and decided at the past 2015 General Membership meeting, but nonetheless wanted to thank Secretary Anderson for assisting in getting this proposal considered and approved.

Finally, Vice President Onishi expressed his desire to state for the record, as a member of the Executive Committee, that he did not appreciate the way that he had been treated at both a previous meeting and at the Annual Conference, where words had been spoken that "were inappropriate" and no written apology had been tendered. He ended by noting that he would recommend that his Hawaii County Council colleagues support and approve this Bylaw amendment.

Hearing no other discussion, HSAC President Alternate Kagawa ended discussion on this matter by stating that, as President Rapozo's Alternate, he was in support of this amendment since the proposal seemed to be fair, represented a good compromise, and would provide each county an opportunity to fill the President's position on a regular basis.

The committee voted on and approved the proposed Bylaw amendment.

IV. ADJOURNMENT

The meeting was adjourned at 10:30 a.m.

Respectfully submitted,

IKAIKA ANDERSON, Secretary
Hawaii State Association of Counties

Hawai'i State Association of Counties (HSAC)
Counties of Hawai'i, Kaua'i, Maui, and City & County of Honolulu

'15 NOV 17 P1:18

November 17, 2015

OFFICE OF
THE COMPTROLLER
OF ACCOUNTS

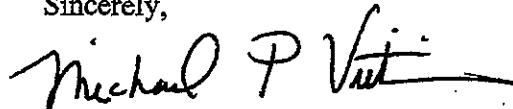
HSAC President and
Members of the Executive Committee

Dear President and Members:

**SUBJECT: TREASURER'S REPORT FOR SEPTEMBER AND
OCTOBER 2015**

Attached please find reports of the Association's revenues and expenses for the periods of September 1 through September 30, 2015 and October 1 through October 31, 2015.

Sincerely,



MICHAEL P. VICTORINO
HSAC Treasurer

Attachments

ocs:proj:hsac:FY2016:16ltr:1509ltr:mkz

IV. REPORTS A. 1 AND 2.

4396 Rice Street, Suite 209, Līhu'e, Kaua'i, Hawai'i 96766, (808) 241-4188

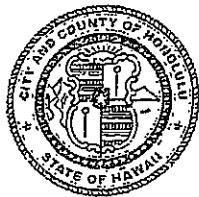
Hawaii State Association of Counties
REVENUES COLLECTED AND EXPENSES PAID
 Period: September 1, 2015 through September 30, 2015

| | | | | |
|---|-----------------------|---------------------|---------------------|---------------------|
| BEGINNING BALANCE | | | | \$140,641.15 |
| | Current Period | FY 2016 | FY 2016 | |
| | September | Year to Date | Budget | |
| REVENUES | | | | |
| Membership Fees | \$0.00 | \$0.00 | \$43,680.00 | |
| Conference Income | \$28,780.02 | \$28,780.02 | \$15,000.00 | |
| Interest Income | \$2.67 | \$7.71 | \$28.00 | |
| Corporate Sponsorship | \$0.00 | \$0.00 | \$0.00 | |
| Miscellaneous | \$0.00 | \$10,000.00 | \$0.00 | |
| NACo Prescription Drug | \$0.00 | \$1,372.40 | \$6,000.00 | |
| Fund Balance, prior FY | \$0.00 | \$0.00 | \$107,164.00 | |
| Total | \$28,782.69 | \$40,160.13 | \$171,872.00 | |
| Total Receipts This Period | | | | \$28,782.69 |
| EXPENSES | | | | |
| Executive Committee | | | | |
| Travel-Air and Ground | \$882.25 | \$2,401.63 | \$15,500.00 | |
| Auditing Services | \$0.00 | \$3,906.25 | \$5,000.00 | |
| Stationery | \$0.00 | \$0.00 | \$150.00 | |
| Miscellaneous | \$187.91 | \$548.95 | \$2,000.00 | |
| Online Quickbooks Monthly Fee | \$41.55 | \$124.65 | \$500.00 | |
| Special Committees | | | | |
| Travel | \$0.00 | \$0.00 | \$500.00 | |
| Miscellaneous | \$0.00 | \$0.00 | \$100.00 | |
| NACo | | | | |
| Board Travel-Air and Ground | \$0.00 | \$4,152.17 | \$18,000.00 | |
| Steering Committees Travel-Air and Ground | \$0.00 | \$0.00 | \$6,000.00 | |
| Promotional | \$0.00 | \$0.00 | \$250.00 | |
| Dues | \$0.00 | \$0.00 | \$27,268.00 | |
| Miscellaneous | \$0.00 | \$1,315.53 | \$1,000.00 | |
| WIR | | | | |
| WIR Travel-Air and Ground | \$0.00 | \$2,514.49 | \$9,000.00 | |
| WIR Promotional | \$0.00 | \$0.00 | \$2,250.00 | |
| WIR Dues | \$0.00 | \$0.00 | \$3,804.00 | |
| WIR Miscellaneous | \$0.00 | \$0.00 | \$1,000.00 | |
| WIR 2015 Conference | \$0.00 | \$0.00 | \$5,755.00 | |
| OTHER | | | | |
| Adjustments for Travel and Related Expenses | \$0.00 | \$0.00 | \$10,795.00 | |
| National Conference Fund | \$0.00 | \$0.00 | \$44,000.00 | |
| Prescription Drug Scholarship Program | \$0.00 | \$0.00 | \$7,500.00 | |
| County Leadership Institute Attendee | \$0.00 | \$0.00 | \$3,000.00 | |
| Prescription Drug Promotion | \$0.00 | \$0.00 | \$5,000.00 | |
| HSAC Promotion | \$0.00 | \$0.00 | \$3,500.00 | |
| Total | \$1,111.71 | \$14,963.67 | \$171,872.00 | |
| Total Expenses This Period | | | | \$1,111.71 |
| ENDING BALANCE | | | | \$168,312.13 |

IV. REPORTS A, 1 AND 2.

Hawaii State Association of Counties
REVENUES COLLECTED AND EXPENSES PAID
 Period: October 1, 2015 through October 31, 2015

| | | | | |
|---|-----------------------|---------------------|---------------------|---------------------|
| BEGINNING BALANCE | | | | \$166,312.13 |
| | Current Period | FY 2016 | FY 2016 | |
| | October | Year to Date | Budget | |
| REVENUES | | | | |
| Membership Fees | \$43,680.00 | \$43,680.00 | \$43,680.00 | |
| Conference Income | \$41,828.86 | \$70,608.88 | \$15,000.00 | |
| Interest Income | \$3.27 | \$10.98 | \$28.00 | |
| Corporate Sponsorship | \$0.00 | \$0.00 | \$0.00 | |
| Miscellaneous | \$0.00 | \$10,000.00 | \$0.00 | |
| NACo Prescription Drug | \$1,279.60 | \$2,652.00 | \$6,000.00 | |
| Fund Balance, prior FY | \$0.00 | \$0.00 | \$107,164.00 | |
| Total | \$86,791.73 | \$126,951.86 | \$171,872.00 | |
| Total Receipts This Period | | | | \$86,791.73 |
| EXPENSES | | | | |
| Executive Committee | | | | |
| Travel-Air and Ground | \$678.94 | \$3,080.57 | \$15,500.00 | |
| Auditing Services | \$0.00 | \$3,906.25 | \$5,000.00 | |
| Stationery | \$0.00 | \$0.00 | \$150.00 | |
| Miscellaneous | \$348.95 | \$897.90 | \$2,000.00 | |
| Online Quickbooks Monthly Fee | \$41.55 | \$166.20 | \$500.00 | |
| Special Committees | | | | |
| Travel | \$0.00 | \$0.00 | \$500.00 | |
| Miscellaneous | \$0.00 | \$0.00 | \$100.00 | |
| NACo | | | | |
| Board Travel-Air and Ground | \$2,352.20 | \$6,504.37 | \$18,000.00 | |
| Steering Committees Travel-Air and Ground | \$1,109.31 | \$1,109.31 | \$6,000.00 | |
| Promotional | \$0.00 | \$0.00 | \$250.00 | |
| Dues | \$26,751.00 | \$26,751.00 | \$27,268.00 | |
| Miscellaneous | \$0.00 | \$1,315.53 | \$1,000.00 | |
| WIR | | | | |
| WIR Travel-Air and Ground | \$1,425.47 | \$3,939.96 | \$9,000.00 | |
| WIR Promotional | \$0.00 | \$0.00 | \$2,250.00 | |
| WIR Dues | \$0.00 | \$0.00 | \$3,804.00 | |
| WIR Miscellaneous | \$0.00 | \$0.00 | \$1,000.00 | |
| WIR 2015 Conference | \$0.00 | \$0.00 | \$5,755.00 | |
| OTHER | | | | |
| Adjustments for Travel and Related Expenses | \$0.00 | \$0.00 | \$10,795.00 | |
| National Conference Fund | \$0.00 | \$0.00 | \$44,000.00 | |
| Prescription Drug Scholarship Program | \$0.00 | \$0.00 | \$7,500.00 | |
| County Leadership Institute Attendee | \$0.00 | \$0.00 | \$3,000.00 | |
| Prescription Drug Promotion | \$0.00 | \$0.00 | \$5,000.00 | |
| HSAC Promotion | \$0.00 | \$0.00 | \$3,500.00 | |
| Total | \$32,707.42 | \$47,671.09 | \$171,872.00 | |
| Total Expenses This Period | | | | \$32,707.42 |
| Return of 2015 Conference Seed Money | | | | \$5,000.00 |
| ENDING BALANCE | | | | \$227,396.44 |
| IV. REPORTS A 1 AND 2. | | | | |
| ocs:proj:hsac:FY2016:16tr:1510tr:mkz | | | | |



OFFICE OF THE CITY CLERK

CITY AND COUNTY OF HONOLULU
530 SOUTH KING STREET, ROOM 100
HONOLULU, HAWAII 96813-3077
TELEPHONE: (808) 768-3810 • FAX: (808) 768-3835

GLEN I. TAKAHASHI
CITY CLERK

KIMBERLY L. RIBELLIA
DEPUTY CITY CLERK

September 2, 2015

RECEIVED

'15 SEP -8 P12:24

Mr. Mel Rapozo, President
Hawaii State Association of Counties
4396 Rice Street
Lihue, HI 96766

Dear Mr. Rapozo:

It is my pleasure to inform you that Resolution 15-217, CD1, relating to the inclusion in the 2016 Hawaii State Association of Counties legislative package of a proposal that would require mopeds to be subject to the State's Safety Check Program, was adopted by the Council of the City and County of Honolulu on Wednesday, September 2, 2015.

Sincerely,



GLEN TAKAHASHI
City Clerk

hc

Attachment



RESOLUTION

RELATING TO THE INCLUSION IN THE 2016 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE OF A PROPOSAL THAT WOULD REQUIRE MOPEDS TO BE SUBJECT TO THE STATE'S SAFETY CHECK PROGRAM.

WHEREAS, mopeds are driven by residents and visitors alike on Hawaii roadways and streets, and interact with other motor vehicles, bicyclists and pedestrians; and

WHEREAS, the newspapers and television newscasts announce an inordinate number of moped incidents, including the following three incidents within the last three months:

- On May 21, 2015, a 30-year-old man and a 19-year-old man were taken to the hospital with serious injuries following a moped accident near Sandy Beach;
- On June 18, 2015, a moped hit a delivery truck in Kalihi at the intersection of North King Street and Umi Street, leaving a 15-year-old boy in critical condition; and
- On July 16, 2015, an 86-year-old man died when he was hit by a moped on South King Street near Poha Lane;

and

WHEREAS, while equipment failure and deficiencies are likely factors in at least some moped incidents, mopeds are currently not subject to the State's safety check program for motor vehicles; and

WHEREAS, the City Council finds that it is a matter of public safety to require mopeds to meet the safety and other criteria that other motorized vehicles are already subject to; and

WHEREAS, approval of all counties is required to include a proposal in the 2016 HSAC legislative package; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it approves for inclusion in the 2016 HSAC legislative package a proposal, attached as Exhibit A, that would require mopeds to be subject to the State's Safety Check Program; and



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 15-217, CD1

RESOLUTION

BE IT FINALLY RESOLVED that a copy of this Resolution be transmitted to the President of the Hawaii State Association of Counties.

INTRODUCED BY:

JOEY MANAHAN

DATE OF INTRODUCTION:

July 28, 2015
Honolulu, Hawaii

Councilmembers

EXHIBIT A

V. NEW BUSINESS A.

JUSTIFICATION SHEET

PROPOSER: Hawaii'i State Association of Counties

TITLE: A Bill for an Act Relating to Mopeds

PURPOSE: This proposed Bill for an Act requires mopeds to be subject to the State's safety check program.

MEANS: Amends various sections of the Hawaii'i Revised Statutes (HRS) to include mopeds in the State's safety check program, and makes conforming amendments as needed.

JUSTIFICATION: Mopeds are driven by residents and visitors alike on Hawaii roadways and streets, interacting with other motor vehicles, bicyclists and pedestrians. In order to increase the safety of moped drivers and others traveling on local streets and roadways, it is imperative that mopeds be required to meet the safety and other criteria that other motor vehicles are already subject to. Requiring mopeds to be subject to the State's safety check program is an important step in increasing safety on Hawaii's roadways by decreasing incidents resulting from equipment failure or deficiencies.

____.B. NO.____

A BILL FOR AN ACT

RELATING TO MOPEDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 286-2, Hawaii Revised Statutes, is
2 amended by amending the definitions of "motor vehicle" and
3 "vehicle" to read as follows:

4 ""Motor vehicle" means every vehicle which is self-
5 propelled and every vehicle which is propelled by electric power
6 but which is not operated upon rails[~~, but excludes a moped~~].

7 "Vehicle" means every device in, upon, or by which any
8 person or property is or may be transported or drawn upon a
9 highway, but ~~excludes~~ devices moved by human power or devices
10 used exclusively upon stationary rails or tracks [~~and mopeds~~]."

11 SECTION 2. Section 286-26, Hawaii Revised Statutes, is
12 amended by amending subsection (b) to read as follows:

13 "(b) All other vehicles, including mopeds, motorcycles,
14 trailers, semitrailers, and pole trailers having a gross vehicle
15 weight rating of 10,000 pounds or less, and antique motor
16 vehicles as defined in section 249-1, except those in
17 subsections (c) and (d), shall be certified as provided in

____.B. NO. _____

1 subsection (e) every twelve months; provided that any vehicle to
2 which this subsection applies shall not require inspection
3 within two years of the date on which the vehicle was first
4 sold."

5 SECTION 3. Section 291C-202, Hawaii Revised Statutes, is
6 amended by amending subsection (c) to read as follows:

7 "(c) ~~[The director of transportation by rules and~~
8 ~~regulations, pursuant to chapter 91, shall establish criteria~~
9 ~~and procedures for the annual safety inspection of every~~
10 ~~moped.]~~ Every moped shall be inspected in accordance with
11 section 286-26. Safety inspection criteria shall include the
12 criteria established by the director of transportation under
13 subsection (b)."

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.

17

18

INTRODUCED BY: _____

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 15-217, CD1

Introduced: 07/28/15

By: JOEY MANAHAN

Committee: EXECUTIVE MATTERS
AND LEGAL AFFAIRS

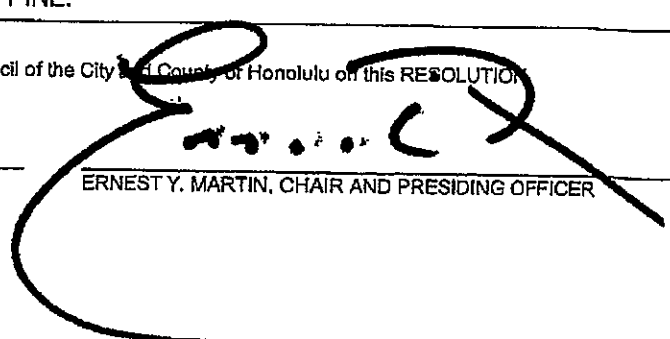
Title: RESOLUTION RELATING TO THE INCLUSION IN THE 2016 HAWAII STATE ASSOCIATION OF
COUNTIES LEGISLATIVE PACKAGE OF A PROPOSAL THAT WOULD REQUIRE MOPEDS TO BE
SUBJECT TO THE STATE'S SAFETY CHECK PROGRAM.

Voting Legend: * = Aye w/Reservations

| | | |
|----------|---|---|
| 08/18/15 | EXECUTIVE MATTERS AND LEGAL AFFAIRS | CR-317 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION AS AMENDED IN CD1 FORM. |
| 09/02/15 | COUNCIL | CR-317 AND RESOLUTION 15-217, CD1 WERE ADOPTED. 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE. |

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.


GLEN TAKAHASHI, CITY CLERK


ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER

DANNY A. MATEO
County Clerk



OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

JOSIAH K. NISHITA
Deputy County Clerk

15 SEP 18 A9:46

TAF

September 8, 2015

Honorable Mel Rapozo, President
Hawaii State Association of Counties
Executive Committee
4396 Rice Street, Suite 209
Lihue, Hawaii 96766

Dear Sir:

Respectfully transmitted is a copy of Resolution No. 15-109, which was adopted by the Council of the County of Maui at its meeting held on September 4, 2015.

Respectfully yours,

A handwritten signature in black ink, reading "Danny A. Mateo".

DANNY A. MATEO
County Clerk

/jym

Enclosure

V. NEW BUSINESS B.

Resolution

No. 15-109

URGING CONGRESS TO PASS THE INDUSTRIAL HEMP FARMING ACT OF 2015

WHEREAS, the cultivation of sugar cane and pineapple has been traditionally a critical part of Maui County's economic base for over 100 years; and

WHEREAS, the cultivation of sugar cane and pineapple has dwindled dramatically in Maui County to approximately 36,000 acres of sugar cane and 1,350 acres of pineapple; and

WHEREAS, only 230,000 acres are engaged in active farming activity out of the total 402,354 acres zoned agriculture in Maui County; and

WHEREAS, agriculture remains an important element in Maui County's economy and land use patterns, with the trend moving towards more agriculture diversification; and

WHEREAS, Maui County's agriculture lends itself to the preservation of our sense of place and serves as a backdrop of scenic beauty for residents and our primary economic driver – the tourism industry; and

WHEREAS, the industrial hemp industry is enjoying a significant and growing revitalization worldwide and in the United States, as faltering agricultural economies in a number of states create pressure to investigate alternative crops, including industrial hemp; and

WHEREAS, to date, 22 states have passed some form of hemp legislation, with 13 of those establishing commercial industrial hemp programs by statute; and

WHEREAS, on April 30, 2014, Hawaii Governor Neil Abercrombie signed Act 56 (2014) into law, legalizing the limited growing of industrial hemp for research purposes, making Hawaii the eleventh state to legalize industrial hemp; and

Resolution No. 15-109

WHEREAS, on February 7, 2014, President Barack Obama signed the Farm Bill of 2013 into law, whereby Section 7606 of the act, "Legitimacy of Industrial Hemp Research," defines industrial hemp as distinct and authorizes institutions of higher education or state departments of agriculture in states where hemp is legal to grow hemp for research or agricultural pilot programs; and

WHEREAS, hemp is a fiber and seed crop with the ability to grow in almost any soil, with minimal maintenance and is a \$500,000,000 import industry in the United States; and

WHEREAS, industrial hemp's three raw materials - fiber, hurds, and seeds - can be used in more than 25,000 products, including textiles, rope, plastics, resin, particle board, "hemcrete," paper products, soaps and shampoo, skin care products, biodiesel, food, vitamins, and oil, among others; and

WHEREAS, industrial hemp is commercially produced in more than 30 countries, including Canada, Great Britain, France, Germany, Romania, Australia, and China, without undue restriction or complications; and

WHEREAS, industrial hemp is distinct from its relative, marijuana, in that hemp contains less than one per cent of the psychoactive chemical THC; and

WHEREAS, industrial hemp is currently regulated by the Federal government as a form of marijuana, which is classified as a Schedule I drug; and

WHEREAS, the Controlled Substances Act of 1970 specifies the findings to which the government must attest in order to classify a substance as a Schedule I drug, and those findings include that the substance has a high potential for abuse, no accepted medical use, and a lack of accepted safety for use, none of which apply to industrial hemp; and

WHEREAS, Senate Bill 134, the Industrial Hemp Farming Act of 2015, which was introduced on January 8, 2015, by Senator Ron Wyden and three original cosponsors, Senators Mitch McConnell, Jeff Merkley, and Rand Paul, currently has nine bipartisan cosponsors; and

Resolution No. 15-109

WHEREAS, House of Representatives Bill 525, the Industrial Farming Act of 2015, which was introduced on January 26, 2015, by Representative Thomas Massie, and currently has 60 bipartisan cosponsors, including Representative Tulsi Gabbard, who represents the people of Maui County; and

WHEREAS, the purpose of the act is to amend the Controlled Substances Act to exclude industrial hemp from the definition of "marihuana"; and

WHEREAS, the bill would create new jobs and open a diverse market for farmers in Hawaii and other states; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby supports the proposed legislation to amend the Controlled Substances Act of 1970 to exclude industrial hemp from the definition of marihuana;
2. That it hereby urges the United States Congress to pass the Industrial Hemp Farming Act of 2015;
3. That certified copies of this resolution be transmitted to the Honorable Barack Obama, President of the United States; the Honorable Joseph Biden, Vice President of the United States; the Honorable John Boehner, Speaker, United States House of Representatives; the Honorable Mitch McConnell, President, United States Senate; the Honorable Brian Schatz, United States Senator; the Honorable Mazie Hirono, United States Senator; the Honorable Tulsi Gabbard, Member of Congress; the Honorable Mark Takai, Member of Congress; the Honorable David Ige, Governor, State of Hawaii; the Honorable Joseph Souki, Speaker, Hawaii State House of Representatives; the Honorable Ronald Kouchi, President, Hawaii State Senate; Maui County's Delegation to the State Legislature; the Honorable Alan Arakawa, Mayor, County of Maui; the Department of Hawaiian Home Lands; the Honorable Mel Rapozo, President, Hawaii State Association of Counties; Matthew D. Chase, Executive Director, National Association of Counties; Scott Enright, Chairperson, Hawaii Board of Agriculture; Maria Gallo, Dean, University of Hawaii College of Tropical Agriculture and Human Resources; Lui

Resolution No. 15-109

Hokoana, Chancellor, University of Hawaii Maui College;
Maui County Farm Bureau; Hawaii Farmers Union United;
Denise Key, Director, Industrial Hemp Hawaii; Rick Volner,
Jr., General Manager, Hawaiian Commercial & Sugar
Company; Molokai Ranch; and Pulama Lanai.

ear:misc:020areso03:scb


COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 15-109 was adopted by the Council of the County of Maui, State of Hawaii, on the 4th day of September, 2015, by the following vote:

| MEMBERS | Michael B. WHITE Chair | Donald S. GUZMAN Vice-Chair | Gladys C. BAISA | Robert CARROLL | Eleanor COCHRAN | Donald G. COUCH, JR. | S. Stacy CRIVELLO | G. Riki HOKAMA | Michael P. VICTORINO |
|-----------|------------------------------|-----------------------------------|--------------------|-------------------|--------------------|-------------------------|----------------------|-------------------|-------------------------|
| ROLL CALL | Aye | Aye | Aye | Aye | Aye | Aye | Aye | Aye | Aye |


COUNTY CLERK

DANNY A. MATEO
County Clerk



JOSIAH K. NISHITA
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.maui-county.gov/county/clerk

September 8, 2015

RECEIVED

'15 SEP 21 11:11

Honorable Mel Rapozo, President
Hawaii State Association of Counties
Executive Committee
4396 Rice Street, Suite 209
Lihue, Hawaii 96766

Dear Sir:

Respectfully transmitted is a copy of Resolution No. 15-114, which
was adopted by the Council of the County of Maui at its meeting held on
September 4, 2015.

Respectfully yours,

A handwritten signature in cursive script that reads "Danny A. Mateo".

DANNY A. MATEO
County Clerk

/jym

Enclosure

V. NEW BUSINESS C.

Resolution

No. 15-114

APPROVING FOR INCLUSION IN THE 2016 HAWAII
STATE ASSOCIATION OF COUNTIES LEGISLATIVE
PACKAGE A STATE BILL PROVIDING THE COUNTIES
GREATER FLEXIBILITY IN FINANCIAL INVESTMENTS

WHEREAS, it is important for public officials to strive to use taxpayer money for maximum public benefit and government efficiency; and

WHEREAS, current State law is unduly restrictive in the regulation of county governments' financial investments; and

WHEREAS, enactment of State legislation providing greater flexibility in counties' financial investments, coupled with appropriate safeguards, could allow for a greater return, increasing both public benefit and government efficiency; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That the proposed State bill, attached as Exhibit "A", to provide greater flexibility in counties' financial investments, is approved for inclusion in the 2016 Hawaii State Association of Counties Legislative Package; and
2. That certified copies of this resolution be transmitted to the Hawaii State Association of Counties Executive Committee.

paf:mkz:15-181a

A BILL FOR AN ACT

RELATING TO COUNTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 46-50, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§46-50 Short term investment of county moneys.** (a) The
4 director of finance of each county may, with the approval of the
5 legislative body, invest county moneys that are in excess of the
6 amounts necessary for the meeting of immediate requirements when
7 in the judgment of the legislative body the action will not
8 impede or hamper the necessary financial operations of the
9 county in:

10 (1) Bonds or interest-bearing notes or obligations:

11 (A) Of the county;

12 (B) Of the State;

13 (C) Of the United States; or

14 (D) Of agencies of the United States for which the
15 full faith and credit of the United States are
16 pledged for the payment of principal and
17 interest;



S.B. NO.

- 1 (2) Federal [~~land bank~~] Farm Credit System notes and
2 bonds;
- 3 (3) [~~Joint stock farm loan bonds;~~] Federal Agricultural
4 Mortgage Corporation notes and bonds;
- 5 (4) Federal Home Loan Bank notes and bonds;
- 6 (5) Federal Home Loan Mortgage Corporation bonds;
- 7 (6) Federal National Mortgage Association notes and bonds;
- 8 (7) Securities of a mutual fund whose portfolio is limited
9 to bonds or securities issued or guaranteed by the
10 United States or an agency thereof;
- 11 (8) Tennessee Valley Authority notes and bonds;
- 12 [~~(8)~~] (9) Repurchase agreements fully collateralized by any
13 such bonds or securities;
- 14 [~~(9)~~] (10) [~~Bank~~] Federally insured savings accounts;
- 15 [~~(10)~~] (11) Time certificates of deposit;
- 16 [~~(11)~~] (12) Certificates of deposit open account;
- 17 [~~(12)~~] (13) Bonds of any improvement district of any county
18 of the State;
- 19 [~~(13)~~] (14) Bank, savings and loan association, and
20 financial services loan company repurchase agreements;
- 21 [~~(14)~~] (15) Student loan resource securities including:



S.B. NO.

- 1 (A) Student loan auction rate securities;
- 2 (B) Student loan asset-backed notes;
- 3 (C) Student loan program revenue notes and bonds; and
- 4 (D) Securities issued pursuant to Rule 144A of the
- 5 Securities Act of 1933, including any private
- 6 placement issues;
- 7 issued with either bond insurance or
- 8 overcollateralization guaranteed by the United States
- 9 Department of Education; provided all insurers
- 10 maintain a triple-A rating by Standard & Poor's,
- 11 Moody's, Duff & Phelps, Fitch, or any other major
- 12 national securities rating agency;
- 13 ~~[(15)]~~ (16) Commercial paper with an A1/P1 or equivalent
- 14 rating by any national securities rating service;
- 15 ~~[and]~~
- 16 ~~[(16)]~~ (17) Bankers' acceptances with an A1/P1 or equivalent
- 17 rating by any national securities rating service; and
- 18 (18) Securities of a money market mutual fund that is rated
- 19 AAA, or its equivalent, by a nationally recognized
- 20 rating agency or whose portfolio consists of
- 21 securities that are rated as first tier securities by



S.B. NO.

1 a nationally recognized statistical rating
 2 organization as provided in title 17 Code of Federal
 3 Regulations section 270.2a-7;
 4 provided the investments are due to mature not more than five
 5 years from the date of investment. The income derived therefrom
 6 shall be deposited in the fund or funds that the legislative
 7 body shall direct; provided that if any money invested under
 8 this section belongs to any waterworks fund, then any income
 9 derived therefrom shall be paid into and credited to the fund.

10 (b) Except with respect to an early withdrawal penalty on
 11 an investment permitted by this section, the amount of such
 12 penalty being mutually agreed at the time of acquisition of such
 13 investment, no investment permitted by this section shall
 14 require or may in the future require payments by the county,
 15 whether unilateral, reciprocal, or otherwise, including margin
 16 payments, or shall bear interest at a variable rate which causes
 17 or may cause the market price of such investment to fluctuate;
 18 provided that such limitation shall not apply to money market
 19 mutual funds which:

20 (1) Invest solely in:



S.B. NO.

- 1 (A) Direct and general obligations of the United
- 2 States of America; or
- 3 (B) Obligations of any agency or instrumentality of
- 4 the United States of America the payment of the
- 5 principal and interest on which are
- 6 unconditionally guaranteed by the full faith and
- 7 credit of the United States of America;
- 8 (2) Are rated at the time of purchase "AAAm-G" or its
- 9 equivalent by Standard & Poor's Ratings Group; and
- 10 (3) Are open-end management investment companies regulated
- 11 under the Investment Company Act of 1940, as amended,
- 12 which calculate their current price per share pursuant
- 13 to Rule 2a-7 (title 17 Code of Federal Regulations
- 14 section 270.2a-7) promulgated under such act.
- 15 (c) Furthermore, a county shall not acquire any investment
- 16 or enter into any agreement in connection with the acquisition
- 17 of any investment or related to any existing investment held by
- 18 the county, which would require or may in the future require any
- 19 payment by the county, whether unilateral, reciprocal, or
- 20 otherwise, such as swap agreements, hedge agreements, or other
- 21 similar agreements. For purposes of this section, a swap or



S.B. NO.

1 hedge payment is any payment made by the county in consideration
2 or in exchange for a reciprocal payment by any person, such as a
3 variable rate payment in exchange for a fixed rate payment, a
4 fixed rate payment in exchange for a variable rate payment, a
5 payment when a cap or a floor amount is exceeded, or other
6 similar payment."

7 SECTION 2. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 3. This Act shall take effect upon its approval.

10

INTRODUCED BY: _____



S.B. NO.



S.B. NO.

Report Title:

County Administration; County Moneys; Short Term Investment

Description:

Allows the counties to make short term investments with similar authority as the state director of finance.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

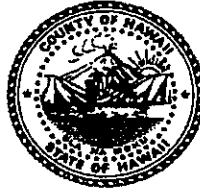
CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 15-114 was adopted by the Council of the County of Maui, State of Hawaii, on the 4th day of September, 2015, by the following vote:

| MEMBERS | Michael B. WHITE Chair | Donald S. GUZMAN Vice-Chair | Gladys C. BAISA | Robert CARROLL | Eleanora COCHRAN | Donald G. COUCH, JR. | S. Stacy CRIVELLO | G. Riki HOKAMA | Michael P. VICTORINO |
|-----------|------------------------------|-----------------------------------|--------------------|-------------------|---------------------|-------------------------|----------------------|-------------------|-------------------------|
| ROLL CALL | Aye | Aye | Aye | Aye | Aye | Aye | Aye | Aye | Aye |


COUNTY CLERK

STEWART MAEDA
County Clerk



JON HENRICKS
Deputy County Clerk

RECEIVED

County of Hawai'i

Office of the County Clerk *15 OCT 20 11:53
25 Aupuni Street, Suite 1402 • Hilo, Hawai'i 96720
(808) 961-8255 • Fax (808) 961-8912

FILED
TLE - JAMES L. LERN
OCT 15 2015

September 11, 2015

Sent via E-Mail

Mel Rapozo, President
Hawai'i State Association of Counties
c/o Kaua'i County Council
4396 Rice Street, Suite 209
Lehu'e, Hawai'i 96766

Dear Mr. Rapozo:

Please find, attached, a copy of Resolution 267-15, which was adopted by the Council of the County of Hawai'i on September 2, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "Stewart Maeda".

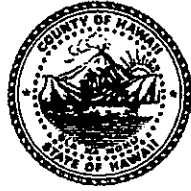
Stewart Maeda
County Clerk
County of Hawai'i

SM/dt

Attachment

V. NEW BUSINESS D.

Serving the Interests of the People of Our Island

RESOLUTION NO. 267 15

A RESOLUTION REQUESTING THE HAWAII STATE ASSOCIATION OF COUNTIES TO INCLUDE IN ITS 2016 LEGISLATIVE PACKAGE A RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO PROPOSE AND PASS AN AMENDMENT CLARIFYING THAT CORPORATIONS ARE NOT PEOPLE WITH CONSTITUTIONAL RIGHTS, AND THAT UNLIMITED CAMPAIGN SPENDING IS NOT FREE SPEECH.

WHEREAS, the United States Constitution was written and approved with the intention of protecting the rights of individual human beings ("natural persons"); and

WHEREAS, corporations are not mentioned in the Constitution, and the people of the United States ("The People") have never granted constitutional rights to corporations, nor decreed that corporations have authority that exceeds the authority of The People; and

WHEREAS, the United States Supreme Court, in Austin v. Michigan Chamber of Commerce (1990), recognized as a threat to a republican form of government "the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public's support for the corporation's political ideas"; and

WHEREAS, the United States Supreme Court in Citizens United v. Federal Election Commission (2010) ("Citizens United") reversed the decision in Austin by rolling back legal limits on corporate spending in the electoral process and allowing unlimited corporate spending to sway votes and influence elections, candidate selection, and policy decisions; and

WHEREAS, the majority decision in Citizens United was recognized as a serious threat to self-government by the four dissenting justices. Corporations have special advantages not enjoyed by natural persons, such as limited liability, perpetual life, and favorable treatment of the accumulation and distribution of assets. These advantages allow them to amass and spend prodigious sums on campaign messages that often have far greater reach and influence than messages from individuals; and

WHEREAS, federal courts in Buckley v. Valeo (1976) and in SpeechNow.org v. FED (2010) overturned limits on independent expenditures because the "corruption or perception of corruption" rationale was only applicable to direct contributions to candidates; and

WHEREAS, United States Supreme Court in Justice Stevens observed in Nixon v. Shrink Missouri Government PAC (2000) that "money is property, it is not speech"; and

WHEREAS, Article V of the United States Constitution allows The People of the various states to amend the U.S. Constitution to correct those egregiously wrong decisions of the United States Supreme Court that challenge our democratic principles and the republican form of self-government; and

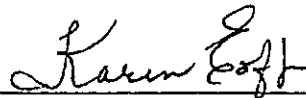
WHEREAS, there is widespread opposition to the Citizens United ruling that money is speech and that independent corporate campaign spending cannot be limited; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I that it approves for inclusion in the 2015 Hawai'i State Association of Counties' legislative package a request that the Legislature of the State of Hawai'i urge Hawai'i's congressional delegation to propose and pass an amendment clarifying that corporations are not people with constitutional rights, and that unlimited campaign spending is not free speech.

BE IT FINALLY RESOLVED that the County Clerk shall forward copies of this resolution to State Senate President Ronald D. Kouchi, Speaker of the State House of Representatives Joe Souki, the Honorable Mayor William P. Kenoi, and to the President and the Secretary of the Hawai'i State Association of Counties.

Dated at Hilo, Hawai'i, this 2nd day of September, 2015.

INTRODUCED BY:

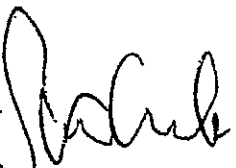


COUNCIL MEMBER, COUNTY OF HAWAI'I

COUNTY COUNCIL
County of Hawai'i
Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on September 2, 2015.

ATTEST:



COUNTY CLERK



CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

| | AYES | NOES | ABS | EX |
|------------|------|------|-----|----|
| CHUNG | | X | | |
| DAVID | X | | | |
| EOFF | X | | | |
| ILAGAN | X | | | |
| KANUHA | X | | | |
| ONISHI | X | | | |
| PALEKA | | X | | |
| POINDEXTER | X | | | |
| WILLE | X | | | |
| | 7 | 2 | 0 | 0 |

Reference: G-446/Waived GRFDC

RESOLUTION NO. 267 15

V. NEW BUSINESS D.

Hawai'i State Association of Counties (HSAC)
Counties of Kaua'i, Maui, Hawai'i & City & County of Honolulu

RECEIVED

September 14, 2015

'15 OCT 28 P2:53

Hawai'i State Association of Counties
4396 Rice Street, Suite 209
Lihu'e, Hawai'i 96766

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

Dear HSAC Executive Committee:

**SUBJECT: 2015 WESTERN INTERSTATE REGION (WIR)
CONFERENCE REPORT**

On behalf of the 2015 Western Interstate Region (WIR) Conference Committee on Kaua'i, we would like to extend our sincere appreciation to all the counties for making the event successful and memorable.

We recognize the work done by the staff of the National Association of Counties (NACo) for coordinating the logistics of the conference and ensuring that conferees were provided with adequate information for their participation in the planned events. Local efforts were focused on welcoming the conferees and their guests to the island of Kaua'i. Special events featured a Board of Directors Welcome Reception held at the Kaneshiro ranch lands located in 'Ōma'o, where guests were greeted with a shower of flowers dropping from the sky. The night's entertainment featured Kaua'i's local talent: music by Cruz Control, a Polynesian hula show by Hālau Ka Lei Mokihana o Leinā'ala, and 'ukulele phenom Aldrene Guerrero. The Conference-wide event held at the renowned Smith's Tropical Paradise showcased an authentic luau preparation, Hawaiian food, and a hula show. Conferees and guests were also invited to participate in a tour of the Kaneioulouma heiau or the Pacific Missile Range at Barking Sands military base in Mānā.

Due to some unforeseen circumstances, we just recently closed our books, but we are pleased to report a remaining balance of \$28,780.02, which has been forwarded for deposit into the HSAC treasury. Total sponsorship income received was \$96,390.00, with an additional \$1,190.00 from charges for additional guests. Our expenses totaled \$67,609.98. Attached for your information is the HSAC Profit and Loss Statement.

4396 Rice Street, Suite 209, Lihu'e, Kaua'i, Hawai'i 96766, (808) 241-4188

V. NEW BUSINESS E.

HSAC Executive Committee
RE: 2015 WIR Conference Report
September 14, 2015
Page 2

We hope you had an enjoyable experience and we look forward to working together on future successful conferences.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mel Rapozo', is positioned above the printed name.

MEL RAPOZO
HSAC President
Council Chair, Kaua'i County Council

AO:lc
Attachment

9/9/2015

Report: Profit and Loss

HSAC

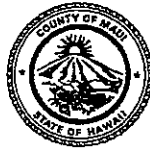
PROFIT AND LOSS

July 1, 2014 - September 9, 2015

| | TOTAL |
|---------------------------------|--------------------|
| Income | |
| Conference Income | |
| Dining-Guest | 1,190.00 |
| Sponsorship | 95,200.00 |
| Total Conference Income | 96,390.00 |
| Total Income | \$96,390.00 |
| Expenses | |
| Conference Expense | |
| Conference Cost (F&B) | 44,180.18 |
| Entertainment | 2,728.13 |
| Leis/Flowers | 685.24 |
| Miscellaneous | 5,099.91 |
| Other Services | 14,758.25 |
| Supplies | 158.27 |
| Total Conference Expense | 67,609.98 |
| Total Expenses | \$67,609.98 |
| Net Operating Income | \$28,780.02 |
| Net Income | \$28,780.02 |

Wednesday, Sep 09, 2015 09:36:49 AM PDT GMT-10 - Cash Basis

DANNY A. MATEO
County Clerk



JOSIAH K. NISHITA
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

RECEIVED

'15 SEP 24 A10 :19

September 21, 2015

Honorable Mel Rapozo
Hawaii State Association of Counties
Executive Committee
4396 Rice Street, Suite 209
Lihue, Hawaii 96766

Dear Sir:

Respectfully transmitted is a copy of Resolution No. 15-120, which was adopted by the Council of the County of Maui at its meeting held on September 18, 2015.

Respectfully,

A handwritten signature in black ink, reading "Danny A. Mateo". The signature is written in a cursive style with a large, sweeping "M" and "A".

DANNY A. MATEO
County Clerk

/lks

Enclosure

Resolution

No. 15-120

APPROVING FOR INCLUSION IN THE 2016 HAWAII STATE
ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A BILL TO
ENABLE COUNCILMEMBERS TO FREELY ATTEND COMMUNITY AND
EDUCATIONAL MEETINGS

WHEREAS, the State Sunshine Law (Part I, Chapter 92, Hawaii Revised Statutes) has been interpreted to restrict Councilmembers' attendance at public events, such as community and educational meetings; and

WHEREAS, the Sunshine Law is a serious matter, as violations carry potential criminal and civil penalties; and

WHEREAS, to better serve their constituents in a well-informed, transparent, and responsive manner, Councilmembers should be encouraged to freely attend community and educational meetings, without fear of violating the Sunshine Law; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That the proposed State bill, attached as Exhibit "A", enabling Councilmembers to freely attend community and educational meetings, is approved for inclusion in the 2016 Hawaii State Association of Counties Legislative Package; and
2. That certified copies of this resolution be transmitted to the Hawaii State Association of Counties Executive Committee.

paf:mkz:15-177a

____.B. NO.____

A BILL FOR AN ACT

RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 92-2.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§92-2.5 Permitted interactions of members. (a) Two
4 members of a board may discuss between themselves matters
5 relating to official board business to enable them to perform
6 their duties faithfully, as long as no commitment to vote is
7 made or sought and the two members do not constitute a quorum of
8 their board.

9 (b) Two or more members of a board, but less than the
10 number of members which would constitute a quorum for the board,
11 may be assigned to:

12 (1) Investigate a matter relating to the official business
13 of their board; provided that:

14 (A) The scope of the investigation and the scope of
15 each member's authority are defined at a meeting of the board;

16 (B) All resulting findings and recommendations are
17 presented to the board at a meeting of the board; and

18 (C) Deliberation and decisionmaking on the matter
19 investigated, if any, occurs only at a duly noticed meeting of
20 the board held subsequent to the meeting at which the findings
21 and recommendations of the investigation were presented to the
22 board; or

23 (2) Present, discuss, or negotiate any position which the
24 board has adopted at a meeting of the board; provided that the
25 assignment is made and the scope of each member's authority is
26 defined at a meeting of the board prior to the presentation,
27 discussion, or negotiation.

EXHIBIT "A"
V. NEW BUSINESS F

____.B. NO. _____

1 (c) Discussions between two or more members of a board,
2 but less than the number of members which would constitute a
3 quorum for the board, concerning the selection of the board's
4 officers may be conducted in private without limitation or
5 subsequent reporting.

6 (d) Board members present at a meeting that must be
7 canceled for lack of quorum or terminated pursuant to section
8 92-3.5(c) may nonetheless receive testimony and presentations on
9 items on the agenda and question the testifiers or presenters;
10 provided that:

11 (1) Deliberation or decisionmaking on any item, for which
12 testimony or presentations are received, occurs only at a duly
13 noticed meeting of the board held subsequent to the meeting at
14 which the testimony and presentations were received;

15 (2) The members present shall create a record of the oral
16 testimony or presentations in the same manner as would be
17 required by section 92-9 for testimony or presentations heard
18 during a meeting of the board; and

19 (3) Before its deliberation or decisionmaking at a
20 subsequent meeting, the board shall:

21 (A) Provide copies of the testimony and presentations
22 received at the canceled meeting to all members of the board;
23 and -

24 (B) Receive a report by the members who were present
25 at the canceled or terminated meeting about the testimony and
26 presentations received.

27 (e) Two or more members of a board, but less than the
28 number of members which would constitute a quorum for the board,
29 may attend an informational meeting or presentation on matters
30 relating to official board business, including a meeting of
31 another entity, legislative hearing, convention, seminar, or
32 community meeting; provided that the meeting or presentation is
33 not specifically and exclusively organized for or directed
34 toward members of the board. The board members in attendance
35 may participate in discussions, including discussions among
36 themselves; provided that the discussions occur during and as
37 part of the informational meeting or presentation; and provided

____.B. NO. _____

1 further that no commitment relating to a vote on the matter is
2 made or sought.

3 At the next duly noticed meeting of the board, the board
4 members shall report their attendance and the matters presented
5 and discussed that related to official board business at the
6 informational meeting or presentation.

7 (f) Discussions between the governor and one or more
8 members of a board may be conducted in private without
9 limitation or subsequent reporting; provided that the discussion
10 does not relate to a matter over which a board is exercising its
11 adjudicatory function.

12 (g) Discussions between two or more members of a board and
13 the head of a department to which the board is administratively
14 assigned may be conducted in private without limitation;
15 provided that the discussion is limited to matters specified in
16 section 26-35.

17 (h) Communications, interactions, discussions,
18 investigations, and presentations described in this section are
19 not meetings for purposes of this part.

20 (i) Two or more members of a county council may jointly
21 attend and speak at a community, educational, or informational
22 meeting or presentation, such as a meeting of another entity,
23 legislative hearing, convention, seminar, conference, or
24 community meeting, if the meeting or presentation is open to the
25 public.

26 SECTION 2. Statutory material to be deleted is bracketed
27 and in strikethrough. New statutory material is underscored.

28 SECTION 3. This Act shall take effect upon its approval.

29

30 INTRODUCED BY: _____

31 paf:mkz:15-177b

COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

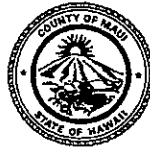
CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 15-120 was adopted by the Council of the County of Maui, State of Hawaii, on the 18th day of September, 2015, by the following vote:

| | | | | | | | | | |
|-----------|------------------------------|-----------------------------------|--------------------|-------------------|---------------------|-------------------------|----------------------|-------------------|-------------------------|
| MEMBERS | Michael B. WHITE Chair | Donald S. GUZMAN Vice-Chair | Gladys C. BAISA | Robert CARROLL | Eleanora COCHRAN | Donald G. COUCH, JR. | S. Stacy CRIVELLO | G. Riki HOKAMA | Michael P. VICTORINO |
| ROLL CALL | Aye | Aye | Aye | Aye | Excused | Excused | Aye | Aye | Aye |


COUNTY CLERK

DANNY A. MATEO
County Clerk



JOSIAH K. NISHITA
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

October 19, 2015

RECEIVED

'15 OCT 22 PM 03

Honorable Mel Rapozo, President
Hawaii State Association of Counties
Executive Committee
4396 Rice Street, Suite 209
Lihue, Hawaii 96766

Dear Sir:

Respectfully transmitted is a copy of Resolution No. 15-132, which was adopted by the Council of the County of Maui at its meeting held on October 6, 2015.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Danny A. Mateo", is written over a horizontal line.

DANNY A. MATEO
County Clerk

/jym

Enclosure

V. NEW BUSINESS G.

Resolution

No. 15-132

APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES OFFICERS FOR FISCAL YEAR 2016

WHEREAS, Section 5 of the Hawaii State Association of Counties ("HSAC") Bylaws states that the HSAC Executive Committee shall consist of four HSAC officers, a President, Vice-President, Secretary, and Treasurer, none of whom shall be members of the same council; and

WHEREAS, the HSAC Executive Committee has proposed the following slate of HSAC officers for Fiscal Year 2016 (July 1, 2015, through June 30, 2016):

| | |
|-----------------|---|
| President: | Michael P. Victorino, Maui County Council Gladys C. Baisa (Alternate) |
| Vice-President: | Dennis "Fresh" Onishi, Hawaii County Council Danny K. Paleka Jr. (Alternate) |
| Secretary: | Mel Rapozo, Kauai County Council Ross Kagawa (Alternate); and |
| Treasurer: | J. Ikaika Anderson, Honolulu City Council Joey Manahan (Alternate) |

WHEREAS, the HSAC Bylaws require each council to act on the proposed slate of HSAC officers; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby approve the following slate of HSAC officers for Fiscal Year 2016:

| | |
|-----------------|---|
| President: | Michael P. Victorino, Maui County Council Gladys C. Baisa (Alternate) |
| Vice-President: | Dennis "Fresh" Onishi, Hawaii County Council Danny K. Paleka Jr. (Alternate) |
| Secretary: | Mel Rapozo, Kauai County Council Ross Kagawa (Alternate); and |
| Treasurer: | J. Ikaika Anderson, Honolulu City Council Joey Manahan (Alternate); and |

2. That certified copies of this resolution be transmitted to the HSAC Executive Committee.

V. NEW BUSINESS G.

COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 15-132 was adopted by the Council of the County of Maui, State of Hawaii, on the 16th day of October, 2015, by the following vote:

| | | | | | | | | | |
|------------------|---------------------------------------|--|----------------------------|---------------------------|-----------------------------|---------------------------------|------------------------------|---------------------------|---------------------------------|
| MEMBERS | Michael B. WHITE Chair | Donald S. GUZMAN Vice-Chair | Gladys C. BAISA | Robert CARROLL | Eleanora COCHRAN | Donald G. COUCH, JR. | S. Stacy CRIVELLO | G. Riki HOKAMA | Michael P. VICTORINO |
| ROLL CALL | Aye | Aye | Aye | Aye | Aye | Aye | Aye | Aye | Excused |


COUNTY CLERK

V. NEW BUSINESS G.

DANNY A. MATEO
County Clerk



JOSIAH K. NISHITA
Deputy County Clerk

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

COPY

October 19, 2015

RECEIVED

'15 NOV 13 P4:22

Honorable Mel Rapozo, President
Hawaii State Association of Counties
Executive Committee
4396 Rice Street, Suite 209
Lihue, Hawaii 96766

RECEIVED
THE COUNTY CLERK
COUNTY OF MAUI

Dear Sir:

Respectfully transmitted is a copy of Resolution No. 15-134, which
was adopted by the Council of the County of Maui at its meeting held on
October 6, 2015.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Danny A. Mateo", written over a horizontal line.

DANNY A. MATEO
County Clerk

/jym

Enclosure

Resolution

No. 15-134

APPROVING FOR INCLUSION IN THE 2016 HAWAII
STATE ASSOCIATION OF COUNTIES LEGISLATIVE
PACKAGE A STATE BILL TO ALLOW PERSONS WITH
DISABILITIES TO INDICATE ON THEIR
IDENTIFICATION CARDS THEIR DISABILITY

WHEREAS, persons with disabilities have the desire to indicate their disability on their identification cards, such as the State identification card, driver's license, or identification card for persons with disabilities; and

WHEREAS, enactment of State legislation allowing identification cards to indicate a person's disability would allow the person access to certain eligible public services and help identify the disability to public safety personnel in case of emergency; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That the proposed State bill, attached as Exhibit "A", to allow persons with disabilities to indicate on their identification cards their disability, is approved for inclusion in the 2016 Hawaii State Association of Counties Legislative Package; and
2. That certified copies of this resolution be transmitted to the Hawaii State Association of Counties Executive Committee.

APPROVED AS TO FORM AND LEGALITY



Department of the Corporation Counsel
County of Maui

paf:mkz:15-190b

____.B. NO.____

A BILL FOR AN ACT

RELATING TO IDENTIFICATION CARDS FOR PERSONS WITH DISABILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. This legislature finds that persons with
2 disabilities have the desire to indicate on their identification
3 cards, such as the State of Hawaii identification card, driver's
4 license, or an identification card for persons with
5 disabilities, their disability. An identification card clearly
6 indicating a person's disability would allow the person access
7 to certain eligible public services such as special
8 transportation and seating for persons with disabilities at
9 public events. This would also allow the person with disability
10 to communicate any special needs to police and other public
11 safety personnel in the event of an emergency.

12 Those who choose to include the international handicap
13 symbol and information about their disability on their driver's
14 license, State identification card, and identification card for
15 persons with disabilities may do so under this Act.

EXHIBIT "A"
V. NEW BUSINESS H.

____.B. NO. _____

1 SECTION 2. Section 286-2, Hawaii Revised Statutes, is
2 amended by adding new definitions to be appropriately inserted
3 and to read as follows:

4 "Disability" means any physical, mental, or neurological
5 impairment that severely restricts a person's mobility, manual
6 dexterity, or ability to climb stairs; substantial loss of sight
7 or hearing; loss of one or more limbs or use thereof; or
8 significantly diminished reasoning capacity.

9 "Person with disabilities" means any person with a
10 permanent or temporary disability.

11 SECTION 3. Chapter 286, Hawaii Revised Statutes, is amended
12 by adding a new section to part VI to be appropriately
13 designated and to read as follows:

14 "§286- Driver's license for persons with disabilities.

15 Persons with disabilities may opt to identify their
16 disability on their driver's license upon receipt of the
17 required documentation as stated in this section, from the
18 person requesting its inclusion. The driver's license shall
19 display the international handicap symbol on a location
20 designated by the department."

21 SECTION 4. Section 286-305, Hawaii Revised Statutes, is
22 amended to read as follows:

____.B. NO. _____

1 **"§286-305 Contents and characteristics; form.** (a) Each
2 identification card issued by the examiner of drivers shall
3 display a distinguishing number assigned to the cardholder, and
4 shall display the following inscription:

5 "STATE OF HAWAII IDENTIFICATION CARD"

6 (b) The examiner of drivers, after obtaining the
7 fingerprint of the applicant as provided in this part and after
8 obtaining the information required by or pursuant to this part,
9 shall issue to each applicant an identification card in a form
10 and with identifying information that the director deems
11 necessary and appropriate, including a notation of veteran
12 status, if desired by the applicant, on the front of the card
13 where applicable; provided that such notation shall not include
14 any designation other than the term "veteran". As used in this
15 subsection, "veteran" means any person who served in any of the
16 uniformed services of the United States and was discharged under
17 conditions other than dishonorable.

18 (c) The identification card shall not display the
19 cardholder's social security number.

20 (d) The identification card shall be designed to prevent
21 its reproduction or alteration without ready detection.

____.B. NO. _____

1 (e) The identification card for individuals under twenty-
2 one years of age shall have characteristics prescribed by the
3 examiner distinguishing it from that issued to [a] an individual
4 who is twenty-one years of age or older.

5 (f) Persons with disabilities may opt to identify their
6 disability on their identification card upon receipt of the
7 required documentation from the person requesting its inclusion.
8 The identification card shall display the international handicap
9 symbol on a location designated by the department."

10 SECTION 5. Chapter 286, Hawaii Revised Statutes, is amended
11 by adding a new section to part XVI to be appropriately
12 designated and to read as follows:

13 "§286- Identification card for persons with
14 disabilities. (a) The department shall issue identification
15 cards to persons with disabilities pursuant to section 286-305.
16 (b) The identification card for persons with disabilities
17 shall include characteristics and content pursuant to section
18 286-305 and display the international handicap symbol on a
19 location designated by the department. On the reverse side of
20 the identification card shall be a space within which the
21 department shall enter such disability information the applicant
22 may request.

____.B. NO. _____

1 (c) The department may display the international handicap
2 symbol on the front and may print the disability information on
3 the reverse on any driver's license or identification card
4 issued pursuant to the provisions of this chapter upon receipt
5 of the required documentation from the person requesting its
6 inclusion.

7 (d) An identification card for persons with disabilities
8 shall be issued to a person with a temporary disability upon
9 presentation of a sworn affidavit of at least one medical doctor
10 attesting to such disability and estimating the duration of the
11 disability. Such identification cards shall be issued for
12 periods of six months, and a current affidavit of a medical
13 doctor attesting to the continuance of such disability shall be
14 presented at each request thereafter."

15 SECTION 6. New statutory material is underscored.

16 SECTION 7. This Act shall take effect on July 1, 2016.

INTRODUCED BY: _____

paf:mkz:15-190a

COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is **HEREBY CERTIFIED** that **RESOLUTION NO. 15-134** was adopted by the Council of the County of Maui, State of Hawaii, on the 16th day of October, 2015, by the following vote:

| | | | | | | | | | |
|-----------|------------------------------|-----------------------------------|--------------------|-------------------|---------------------|-------------------------|----------------------|-------------------|-------------------------|
| MEMBERS | Michael B. WHITE Chair | Donald S. GUZMAN Vice-Chair | Gladys C. BAISA | Robert CARROLL | Eleanora COCHRAN | Donald G. COUCH, JR. | S. Stacy CRIVELLO | G. Riki HOKAMA | Michael P. VICTORINO |
| ROLL CALL | Aye | Aye | Aye | Aye | Aye | Aye | Aye | Aye | Excused |


COUNTY CLERK

COUNTY COUNCIL

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Mason K. Chock
Gary L. Hooser
Arryl Kaneshiro
KipuKai Kualii
JoAnn A. Yukimura



Council Services Division
4396 Rice Street, Suite 209
Lihue, Kauai, Hawaii 96766

OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Scott K. Sato, Deputy County Clerk

Telephone (808) 241-4188

RECEIVED Fax (808) 241-6349

Email cokcouncil@kauai.gov

'15 OCT 23 A8:59

October 22, 2015

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

Mel Rapozo, HSAC President
and Executive Committee Members
Hawaii State Association of Counties
4396 Rice Street, Suite 209
Lihue, Hawaii 96766

Dear President Rapozo:

Enclosed for your information and files is a certified copy of Resolution No. 2015-60, RESOLUTION APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES (HSAC) SLATE OF OFFICERS FOR FISCAL YEAR 2016, which was approved by the Kauai County Council on October 21, 2015.

Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188.

Sincerely,

JADE K. FOUNTAIN-TANIGAWA
County Clerk, Kauai County Council

:dmc
Enclosure

COUNTY COUNCIL

COUNTY OF KAUAI

Resolution No. 2015-60

RESOLUTION APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES (HSAC) SLATE OF OFFICERS FOR FISCAL YEAR 2016

WHEREAS, Section 5 of the Hawai'i State Association of Counties (HSAC) Bylaws states, "The officers of the corporation shall consist of the President, Vice-President, Secretary and Treasurer, none of whom shall be members of the same council"; and

WHEREAS, the Executive Committee, at a special meeting on September 30, 2015, has proposed the following slate of HSAC officers for Fiscal Year 2016 (July 1, 2015 through June 30, 2016):

| | |
|-----------------|-----------------------------|
| President: | County of Maui |
| Vice-President: | County of Hawai'i |
| Secretary: | County of Kaua'i |
| Treasurer: | City and County of Honolulu |

WHEREAS, the HSAC Bylaws requires each council to act on the proposed slate of HSAC officers; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII, that it approves the following slate of officers for Fiscal Year 2016:

| | |
|-----------------|--|
| President: | County of Maui (Councilmember Michael P. Victorino; Councilmember Gladys Baisa-Alternate) |
| Vice-President: | County of Hawai'i (Councilmember Dennis "Fresh" Onishi; Councilmember Daniel K. Paleka, Jr.-Alternate) |
| Secretary: | County of Kaua'i (Councilmember Mel Rapozo; Councilmember Ross Kagawa-Alternate) |
| Treasurer: | City and County of Honolulu (Councilmember J. Ikaika Anderson; Councilmember Joey Manahan-Alternate) |

V. NEW BUSINESS I.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be transmitted to the HSAC Executive Committee.

Introduced by:


MEL RAPOZO

V:\RESOLUTIONS\2014-2016 TERM\2015-1023 Approving HSAC Officers FY16.doc

| | Aye | Nay | Excused | Recused |
|-----------|-----|-----|---------|---------|
| Chock | | | X | |
| Hooser | X | | | |
| Kagawa | X | | | |
| Kaneshiro | X | | | |
| Kuali'i | X | | | |
| Rapozo | X | | | |
| Pukimura | X | | | |
| Total | 6 | 0 | 1 | 0 |

Certificate Of Adoption

We hereby certify that Resolution No. 2015-60 was adopted by the Council of the County of Kaua'i, State of Hawai'i, Lihu'e, Kaua'i, Hamai'i, on October 21, 2015.


County Clerk

Dated October 21, 2015


Chairman & Presiding Officer

V. NEW BUSINESS I.

October 22, 2015

RECEIVED

MEMO TO: Hawaii State Association of Counties Executive Committee 15 NOV 9 A9:36

F R O M: Mike White
Maui County Council Chair and WIR Board Member

Daniel K. Paleka, Jr.
Hawaii County Councilmember and WIR Board Member

SUBJECT: **REPORT ON THE 2015 WESTERN INTERSTATE REGION (WIR)
BOARD OF DIRECTORS MEETING**

On behalf of the Hawaii State Association of Counties, we attended the 2015 Interstate Region Board of Directors Meeting from October 7 - 9, 2015 at The Grove Hotel in Ada County (Boise), Idaho.

We received important updates from the various WIR working groups including the PILT/SRS Working Group, heard updates relating to matters pending in Washington D.C., received a WIR financial update, had informative sessions relating to issues facing Idaho and most importantly, had an open discussion on the WIR mission, opportunities and challenges.

The discussion relating to the future focus of WIR was in our opinion, one of the most important aspects of the meeting. Dialogue revolved around how WIR has heavily focused on PILT/SRS. At the current time, four of the five top priorities of WIR relate to this topic. Many counties however, including those in Hawaii, are not largely impacted by this subject.

As a result, in order to continue engaging leaders of western states, it was decided to put a call out to members, asking what topics of relevance should be tackled by WIR. **We therefore ask the HSAC Executive Committee to discuss this matter at a future meeting. It is our hope that HSAC can recommend relevant topics of importance for WIR to address in the future.** This matter will be discussed by the WIR Board at our next meeting in February.

It was also decided that the PILT/SRS Working Group along with the Endangered Species Act Working Group would be disbanded. These issues will now be taken up by WIR as a whole instead of a working group. The intended result is that a broader dialogue among all members of WIR will discuss these issues and not only working group members.

The other strategic focus is that WIR in the future will work to complement and not duplicate existing NACo Steering Committees'. Members of WIR should serve on these Committees' and provide a western perspective.

V. NEW BUSINESS J.

October 22, 2015

Page 2

As an update to legislative initiatives, it was discussed that six WIR members participated in the fly-in for congressional testimony, which resulted in a technical fix advocated by WIR and NACo being approved by Congress in their continuing resolution ("CR"), which funds the government until December 11, 2015. As a result, a PILT distribution is due in late October of \$34.6 million to counties and allows the Department of Interior to begin data collection for their Fiscal Year 2016 ("FY '16") payment. The remaining FY '16 PILT funding remains uncertain. The full year CR would only provide \$372 million for PILT, but \$452 million is needed to fully fund the FY '16 estimate.

WIR and NACo also played an instrumental role in securing \$700 million in emergency funding for fire suppression costs due to wild fires mostly in western states. NACo continues to urge Congress to address both forest management and fire suppression in comprehensive legislation.

In regards to the financial status of WIR, it was brought to the Board's attention that both WIR and the WIR Conference is projected to end the fiscal year with a slight operating deficit. Therefore, the Executive Board is planning to meet with NACo staff to discuss ways the cost structure between NACo and WIR may be altered, since most of the expenses are NACo related.

In keeping with NACo's newly unveiled branding and logo, the WIR logo has also been updated to compliment the look and feel of NACo. It will begin circulating shortly.

Teton County (Jackson Hole), Wyoming is pleased to host the 2015 WIR Conference which will be held from May 25-27, 2015. They delivered an update on their planning and they are looking forward to the conference. Registration will be available in early 2016 and WIR members are encouraged to attend.

Finally, to end the meeting, we heard from Zions Bank representatives which discussed public financing options available to counties including tax incentives and tax credits. We received a presentation from Midas Gold Idaho, Inc. which outlined their efforts to acquire permits from the U.S. Forest Service to conduct exploration activities on land adjacent to a National Forest in Valley, County Idaho. Mark Stoke of Idaho Power discussed their approach to Diversified Power generation and how it can be feasible in other counties and Larry Laxson of Valley County, Idaho presented a showcase of how their county is cultivating business and tourism opportunities.

October 22, 2015

Page 3

Overall, the meeting was extremely valuable in planning for the future of WIR and also kept informed of pending federal issues facing western states. We also had the opportunity to network with many leaders and decision makers who may be valuable partners in helping to find solutions to the issues that we all face.

If you have any questions, please do not hesitate to contact Council Chair White at (808) 270-5507 or by e-mail at Mike.White@MauiCounty.us or Councilmember Paleka at (808) 961-8026 or by e-mail at Daniel.Paleka@HawaiiCounty.gov.

cc: Members of the Maui County Council
Members of the Hawaii County Council

V. NEW BUSINESS J.

DENNIS "FRESH" ONISHI
Council Member
District 3



PHONE: (808) 961-8396
FAX: (808) 961-8912
EMAIL: donishi@co.hawaii.hi.us

HAWAII COUNTY COUNCIL
25 Aupuni Street, Hilo, Hawaii 96720

RECEIVED

October 29, 2015

'15 OCT 29 P3:13

The Honorable Mel Rapozo
HSAC President
4396 Rice Street, Suite 209
Lihue, Hawaii 96766

CLERK OF THE COURT
COUNTY OF HAWAII

Re: Request to add as new business at November 2015 HSAC Executive Committee meeting: Request \$5,000 seed money for 2016 HSAC Conference planning.

Dear President Rapozo,

I am requesting to add following as new business: I am requesting initial \$5,000 to begin planning the HCSAC Conference scheduled for June 2016. I have consulted with the University of Hawaii-Hilo Conference Center to help with conference planning services.

Please feel free to call me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Onishi".

Dennis "Fresh" Onishi
Vice President, HSAC

V. NEW BUSINESS K.

Hawaii County is an Equal Opportunity Provider and Employer.

COUNTY COUNCIL

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Mason K. Chock
Gary L. Hooser
Arryl Kaneshiro
KipuKai Kualii
JoAnn A. Yukimura



Council Services Division
4396 Rice Street, Suite 209
Lihue, Kauai, Hawaii 96766

OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Scott K. Sato, Deputy County Clerk

RECEIVED

Telephone (808) 241-4188

Fax (808) 241-6349

Email cokcouncil@kauai.gov

'15 NOV -5 P3:26

November 4, 2015

Executive Committee Members
Hawaii State Association of Counties
4396 Rice Street, Suite 209
Lihue, Hawaii 96766

Dear Executive Committee Members:

**RE: PROPOSAL FOR INCLUSION IN THE 2016 HSAC
LEGISLATIVE PACKAGE**

At its meeting on November 4, 2015, the Kauai County Council approved the following proposal for inclusion in the 2016 Hawaii State Association of Counties (HSAC) Legislative Package:

"A Bill for An Act Relating to Tort Liability," which deletes the sunset provision for the liability exceptions for county lifeguards.

Your consideration of the attached proposal to be included in the 2016 HSAC
Legislative Package is appreciated. Should you have any questions, please feel free to contact the Office of the County Clerk, Council Services Division at 241-4188.

Sincerely,

MEL RAPOZO
Council Chair, Kauai County Council

AO:cy
Attachment

____.B. NO. _____

A BILL FOR AN ACT

RELATING TO TORT LIABILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Act 170, Session Laws of Hawai'i 2002, as amended by
2 section 4 of Act 152, Session Laws of Hawaii 2007, as amended by section 2 of
3 Act 81, Session Laws of Hawai'i 2009, as amended by section 1 of Act 98, Session
4 Laws of Hawai'i 2013, is amended by amending section 5 to read as follows:

5 "SECTION 5. This Act shall take effect upon its approval. [~~provided that~~
6 ~~section 1 of this Act shall be repealed on June 30, 2017]."~~

7 SECTION 2. Statutory material to be repealed is bracketed and
8 stricken.

9 SECTION 3. This Act shall take effect upon its approval.

10

11

INTRODUCED BY: _____

____.B. NO. _____

Report Title:

State and County Tort Liability

Description:

Deletes the sunset provision for the liability exceptions for county lifeguards.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.